

## REMARKS

This application has been reviewed in light of the Office Action dated February 26, 2004. Claims 1, 4, 7, 17, 18, 20, 27-30 and 32-41 are presented for examination, of which Claims 1, 20, 32 and 37 are in independent form and have been amended to define still more clearly what Applicants regard as their invention. Favorable reconsideration is requested.

Claims 1, 4, 19, 20, 27, 31-33, 37 and 38 were rejected under 35 U.S.C. § 103(a) as being obvious from U.S. Patent 5,938,735 (Malik) in view of U.S. Patents 6,453,343 (Housel III et al.) and 5,239,537 (Sakauchi). Claims 7, 27, 33 and 38 were rejected under Section 103(a) as being obvious from *Malik*, *Housel* and *Sakauchi* in view of U.S. Patent 6,128,292 (Kim et al.), Claims 17, 29, 35 and 40, as being obvious from *Malik*, *Housel* and *Sakauchi* in view of U.S. Statutory Invention Registration H1,917 (Browning et al.), and Claims 18, 30, 36 and 41, as being obvious from *Malik*, *Housel* and *Sakauchi* in view of U.S. Patent 6,134,638 (Hamadani).

Independent Claim 1 is directed to a communication system that has a controller, a source node and a destination node, the source node including a first connection control register, and the destination node including a second connection control register. According to Claim 1, the controller is adapted to select a first or a second communication protocol as a communication protocol to be used between the source node and the destination node, to set a logical connection to be used between those nodes, to access the first connection control register to store therein information for the selected communication protocol and information for the

logical connection that is set by the controller, and to access the second connection control register to store therein information for the selected communication protocol and information for the set logical connection.

Thus, among other important features of independent Claim 1 is the controller which selects a first or a second communication protocol to be used between a source node and a destination node, sets a logical connection to be used between those nodes, accesses a first connection control register in the source node to store therein information for the communication protocol and information for the logical connection, and accesses a second connection control register in the destination node to store therein information for the communication protocol and information for the logical connection.

At the least the feature of accessing first and second control registers, is believed not to be taught or suggested by any of *Malik*, *Housel* and *Sakauchi*, taken separately or in any permissible combination (if any exists).

To begin with, both *Malik* and *Housel* have been adequately discussed in previous papers, and it is not believed necessary to repeat that discussion in detail. Applicants note that the mentioned feature is not met by any possible combination of *Malik* and *Housel*, and that they understand the Examiner to agree with them on this point (e.g., page 5, first full paragraph, of the outstanding Office Action).

In this connection, *Sakauchi* relates to a register/memory of each switching node,

which stores *predetermined* information. In the broadband ISDN system of *sakauchi*, static connections are made between communication links and a routing network by a digital cross-connect system, and a virtual path memory stores data indicating connections associated with both normal and alternative virtual paths. If a link failure is detected, adjacent switching nodes are notified, and data corresponding to the faulty link is retrieved from memory in response to a fault message. Nothing in *Sakauchi* is seen to teach or suggest accessing first and second connection control registers located, respectively, in a source node and a destination node, to store information for a particular current connection, as recited in Claim 1, or any controller constructed to effect such access.

For at least that reason, Claim 1 is deemed to be clearly allowable over any permissible combination (if any) of the three patents applied against that claim.

Independent Claim 32 is directed to a controller having the characteristics recited for the controller in Claim 1, while independent Claims 20 and 37 are method claims corresponding to Claims 1 and 32, respectively. Claims 20, 32 and 37 are thus each deemed to be allowable for at least the reasons discussed above with regard to Claim 1.

A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual consideration or reconsideration, as the case may be, of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Leonard P. Diana", written over a horizontal line.

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